

NGFTS

National Guard Full-Time Support



HUMAN
RESOURCES
INFORMATION
LETTER



Oklahoma National Guard Human Resources Office

Joint Force Headquarters, Oklahoma National Guard
Oklahoma City, Oklahoma 73111-4398

No. 05-06
DATE: 27 April 2005

30-Day Notices

Subject: Issuance of 30-Day Notices to Technicians

References:

32 U.S.C. 709(b)

NGB TPR 715

Eligibility: Current Dual Status National Guard (NG) Technicians

Effective Date: 27 April 2005

Use: In an effort to ensure compliance with the Congressional intent of the issuance of 30-Day Notices for the separation of military technicians the following excerpts are given. Title 32 USC 709 states that when a technician is "separated from the National Guard or ceases to hold the military grade specified by the Secretary concerned for that position shall be promptly separated from military technician (dual status) employment by the adjutant general of the jurisdiction concerned."

Also, technicians should be given written notification in accordance with NGB TPR 715, chapter 3 para 3-1b. "A technician must be notified in writing of his/her termination at least 30 calendar days before the termination date. **Termination from technician employment should coincide with separation from the National Guard since waiting until the military separation date to issue the notice would not be in keeping with the intent of Congress.** The following rules apply when computing the 30-day notice: (1) day means calendar day, (2) calendar day is the 24-hour period between 12 midnight and 12 midnight, (3) the 30-day period begins the day after the notification is given directly to the technician or, if mailed, 5 days after the date mailed as shown on the certified mail return receipt, and (4) the last day of the 30-day period may not be a nonwork day. There is no prohibition against effecting this action during the period 15 December through 3 January."

In order to comply with the regulatory guidance and ensure that all separations are concurrent with military separation, the HRO requests that the Military Personnel Officers provide listings and/or orders on individuals at least 60 days prior to the date of separation or retirement (this is normally known in advance in the case of Mandatory Separation/Removal Date for Officers, Age 60 for Enlisted and Age 60/62, as appropriate for Warrant Officers). There will be exceptions to this policy when separations are caused by unusual or uncontrollable circumstances and should not become the standard practice.

Your points of contact are LtCol Shirley Kyles at (405) 228-5578 or CMSgt Cynthia Givens at (405) 228-5559.

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